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C O N F I D E N T I A L THE HAGUE 000632

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OCTOBER 13-16, 2009 (EC-58)

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[1](#)B. THE HAGUE 627
[1](#)C. THE HAGUE 628
[1](#)D. STATE 107329
[1](#)E. BEIK-ISN/CB EMAIL (10/09/09) ON EC VISIT REPORT
[1](#)F. GRANGER-ISN/CB EMAIL (10/09/09) ON IRANIAN
STATEMENT
[1](#)G. STATE 105819
[1](#)H. THE HAGUE 604

Classified By: Janet E. Beik for reasons 1.4 (B) and (D)

(U) This is CWC-63-09

SUMMARY

[1](#)1. (SBU) The 58th session of the Executive Council (EC) of the Organization for the Prohibition of Chemical Weapons (OPCW) was a remarkable success. The Council approved by consensus a recommendation to the Conference of States Parties (CSP) to appoint Ahmet Uzumcu of Turkey to be the next Director-General (DG) for the Organization. The EC also recommended that the draft budget and plan of work be forwarded to the CSP, only the third time in history the budget has been approved on schedule by the Council. After more than ten years of off-and-on negotiations, including an intense final round the past two weeks, the EC also decided on limits for low concentrations of Schedule 2A/2A* chemicals, a compromise that satisfied no one but

achieved a long-overdue agreed standard.

¶2. (SBU) Destruction issues dominated the Council's time, with two new initiatives proposed -- one (by South Africa) to examine the gaps in the Chemical Weapons Convention (CWC) covering destruction of chemical weapons (CW) in combat situations, and the other (by Brazil) to begin a dialogue on how the Organization might deal with delays in the final destruction deadline of April 2012. Iran, as always, targeted the United States for criticism, both in the report of the EC visit to the Pueblo and Umatilla CW destruction sites and in the most recent U.S. 90-day report on destruction progress. After a series of lengthy negotiations in a small group setting, Iran took the issue to the plenary Council, maintaining their opposition to "noting" any reports that contained dates for the U.S. program beyond 2012. The final surreal compromise proposed Friday evening was to take the projected dates out of the U.S. report and the Technical Secretariat (TS) report on destruction progress; as one western delegation put it, a blow to the transparency the reports were intended to produce.

¶3. (SBU) This EC was also notable for beginning to debate issues during the sessions in which they were scheduled, rather than in last-minute wrangling over report language as has been done so often in the past. The Chairman kept control of often in the past. The Chairman kept control of the agenda, and, as with his handling of the Director-General search, kept the Council with him in addressing issues properly on the floor without endless interventions. Delegations, including Iran, produced draft report language early on items such as Articles VII, X and XI, and began negotiations over text before the final session.

¶4. (SBU) DEL COMMENT: As this EC neatly wrapped up quite a lot of business, the upcoming Conference of States Parties (November 30 to December 4) provides an ideal opportunity for a major U.S. policy address to the membership of the CWC to look toward the future and the tenure of a new Director-General. END COMMENT.

¶5. (SBU) This cable reports on the major events of EC-58, following the update on the DG selection (ref A); the low concentration solution (ref B); and the donors' meeting, destruction informals and Iraqi assistance (ref C). Septels will follow on bilateral meetings with the Libyan, Chinese and Russian delegations.

DIRECTOR-GENERAL SELECTION

¶6. (SBU) While a surprise to some, the consensus agreement by the Council to recommend Ahmet Uzumcu of Turkey to the Conference of States Parties as the next Director-General (ref A) was the result of careful planning and endless hours of consultation by EC Chairman Ambassador Lomonaco (Mexico). Council members took very seriously the presentations by all seven candidates at the July EC, and many recommended the candidates that most impressed them to their capitals. While politics and national considerations also played their usual role in establishing preferences, many delegations could support more than one candidate, as was the position of the U.S. Lomonaco consulted all delegations in August and early September and, Del believes, knew the probable result even then. Without naming candidates, he expressed privately and publicly that there was broad support among all the regional groups for the same three candidates.

His early messages to the candidates and their representatives, however, did not result in any withdrawals.

¶17. (SBU) Lomonaco began conducting straw polls October 5 after briefing Council members and other interested delegations on the process he had in mind-- preferences listed with a weighted point system. From the first poll, Uzumcu took a clear lead, with Freeman (UK) and Gottwald (Germany) in close proximity to each other in second and third place. Dani (Algeria) took a firm place in the middle of the range, with Thalmann (Switzerland), middle of the range, with Thalmann (Switzerland), Polho (Finland) and Sudjadnan (Indonesia) clustering toward the bottom. As the straw polls proceeded on October 9 and 12, there was slight movement among the bottom group and between Freeman and Gottwald, but no one challenged Uzumcu's lead. Lomonaco slowly and deliberately changed the parameters of the straw polls, reducing the number of preferences indicated from seven to four, and then releasing all of the statistics (numbers of first, second and other preferences) when there were still no candidates withdrawing. He kept the process open to suggestions from Council members, but everyone followed his proposals, agreeing to the step-by-step approach he first outlined in his Roadmap at the July EC.

¶18. (C) As the Council officially opened October 13, the UK sent a junior minister, Ivan Lewis, to make a pitch for John Freeman in the General Debate; his blunt political pitch to the Council and at a later luncheon was a rather jarring change from previous UK decorum (and John Freeman's personal style). Gottwald and Uzumcu traveled to The Hague for EC-58, meeting with delegations, as did resident Ambassador Dani. Few, if any, positions among delegations changed.

¶19. (SBU) By the afternoon session of October 13, the Finnish and Swiss governments had agreed to withdraw their candidates together, a model for the withdrawals to follow. Lomonaco graciously acknowledged the difficulty of their decision in putting the Organization above national and personal aspirations. Indonesia followed the next day in withdrawing Sudjadnan's candidacy, paving the way for the final round of straw polls.

¶10. (C) The fourth straw poll took place October 14 among the four remaining candidates, with EC members indicating three preferences. Although the ranked order of candidates did not change, the striking piece of new information was the "no preference" column, where Uzumcu scored zero negative votes. All delegations had listed him as first, second or third preference. Dani's "no preference" number ranked very high (17), while both Gottwald and Freeman tied at 12, close to a third of the Council (13) and nearly enough to block a potential two-thirds ballot. Delegations began openly discussing the "European problem" and whether Dani should be pressured to withdraw. All reports from conversations with Dani were that he still considered himself in second place due to his number of first choice votes (11).

¶11. (C) Gottwald himself told Delreps on October 15 that the UK had approached him to withdraw together with Freeman, a suggestion he said he refused. The straw poll scheduled for the afternoon of October 15 saw a delayed start, with delegations answering cell phones and moving in and out of the meeting room. When the session finally began, the British Ambassador announced the withdrawal of Freeman.

Lomonaco again thanked Freeman and the UK government for their courage and action taken on behalf of the Organization.

¶12. (C) In the subsequent straw poll among the three candidates remaining, Dani and Gottwald had identical numbers of first choice votes to the previous day, with Freeman's six clearly going to Uzumcu. Del believes the frenzy of activity before his withdrawal included requests that Freeman's support be directed to Uzumcu. With the consensus outcome clearly in sight, the Chairman and Ambassadors convened in multiple private conversations Thursday evening about next steps, including requests by Representatives and by governments that Dani and Gottwald withdraw.

¶13. (C) By Friday morning, rumors abounded that Dani would be withdrawn. The Turkish Ambassador confirmed to WEOG that the Turkish Ambassador in Algiers had been informed by the Algerian government that they were withdrawing Dani's candidacy. The European Union met in emergency session before the morning EC session. When the Council convened, both Dani and Gottwald personally announced their withdrawals, paving the way for the Council to recommend Uzumcu by acclamation. Spokespersons for the Regional Groups and many individual Representatives congratulated Uzumcu, praised the quality and professionalism of all the candidates as well as the Council's tradition of consensus decisions. Many also credited the consensus and the smooth selection process to the efforts of Chairman Lomonaco. Lomonaco thanked everyone for their participation and cooperation and noted the importance of consensus decision-making as a successful model for other multilateral organizations in their leadership elections. It was a high moment of unity before the session descended into hammering out the report language for EC-58.

THE BUDGET -- DEJA VU

¶14. (SBU) Starting in early September, Budget co-facilitators Ambassador Francisco Aguilar (Costa Rica) and Martin Strub (Switzerland) held seven scheduled rounds of consultations, three "informal informal" meetings of interested delegations to thrash out a compromise over contentious points, countless discussions on the margins and two final consultations to try to reach consensus. After all of these consultations and negotiations, last-minute disagreements between several EU countries (Sweden, Ireland and the Netherlands) and India, Pakistan and Iran on the text of the budget draft decision threatened to postpone adoption of the 2010 budget beyond EC-58. However, a final compromise was agreed, and the Council forwarded a budget very similar to the 2009 budget to the CSP for approval. The number of industry (Article VI) inspections had been the main point of contention throughout budget negotiations, and the agreed budget reverted to the numbers for 2009 (208 total inspections). India, Iran, Pakistan and China had insisted that Article VI inspection numbers should not change from those agreed last year due to the lack of any substantive policy discussion on the

industry verification regime. Addressing the number of industry inspections "as a matter of policy" -- rather than relegating it to the annual budget negotiations -- had been a key component of the agreement brokered last year for the approval of the 2009 budget.

¶15. (SBU) DEL COMMENT: While this marks only the third time in the OPCW's history that the EC has reached agreement on the annual budget on time, this was only due to the U.S. and other WEOG delegations agreeing not to drag out negotiations over a few additional Article VI inspections proposed by the DG. During negotiations it became apparent that India, China and other developing countries will continue to fight very hard against any increase in Article VI inspections in future budgets. Last year's hard-fought compromise has been interpreted by these countries to mean that outstanding issues related to the industry verification regime (e.g., the balance between destruction and non-proliferation, the "hierarchy of risk", the relevance of OCPFs and "wasted" inspections due to poor declarations) must be discussed substantively and resolved before additional Article VI inspections will be considered. These discussions will need to start quickly within the industry cluster or other relevant consultations if there is any hope of increasing non-proliferation activities in future years. END COMMENT.

LOW CONCENTRATIONS -- AGREEMENT AT LAST

¶16. (SBU) After more than ten years of off-and-on negotiations, most recently restarted in August 2008, the EC finally agreed on low concentration limits for Schedule 2A/2A* chemicals (ref B). The compromise agreement was reached in the final hours of EC-58 after intensive informal negotiations led by Facilitator Giuseppe Cornacchia (Italy). Cornacchia presented the consensus draft decision to the EC plenary, but before it could be adopted, several delegations took the floor. China started by registering concerns with the text -- specifically the finally-agreed threshold limits -- but agreed to go along with consensus on the matter and not object to the draft decision. Germany, Japan and the U.S. also noted difficulties with the final compromise, but all agreed to join consensus. Chairman Lomonaco, noting how difficult it obviously had been to reach consensus, congratulated the Council on finally resolving the long-outstanding issue. Lomonaco thanked long-outstanding issue. Lomonaco thanked Cornacchia for his facilitation and also paid tribute to everyone who had worked on the issue for the previous ten years.

PROCEDURAL CORRECTIONS-- DEBATING AND NOTING

¶17. (SBU) From the onset of this EC session, the Iranian delegation once again challenged the meaning of the term "to note" and foreshadowed hours of needless discussion on standard English vocabulary. Despite the Technical Secretariat and States Parties intervening to clarify this term, the Iranian delegation held firmly to the position that each delegation can interpret the meaning as they see fit. Towards the end of the EC session, the South African delegation intervened to introduce report language defining "took note" and "noted" under the agenda item Any Other Business. The text basically states that "to note" a document does not constitute approval of or agreement to the substance of the document. The Iranian delegation intervened to acknowledge this and then stated that if they disagreed with the document proposed for noting they would look to voice their position in report language and/or the actual text of the document in question. (DEL NOTE: We deduced that

the Iranian instructions included resisting "noting" any document put forth by the United States that included dates beyond the revised destruction deadlines. The discussion immediately below illustrates the challenges of this position, whereby the visit report was noted as written with comments that appeased the entire Council, and the 90-day report was noted with the removal of the dates extending beyond 2012.)

DESTRUCTION ISSUES -- PAST AND FUTURE

¶18. (SBU) Despite multiple consultations in advance and on the margins of the formal sessions in an effort to reach agreement on substance and report language, the final hours of EC-58 on October 16 were monopolized by destruction issues to include the noting of U.S. documents (i.e., U.S. visit report and 90-day report) and new initiatives.

¶19. (SBU) The report on the visit by the Chairman and representatives of the Executive Council to the Pueblo Chemical Agent Destruction Pilot Plant, Colorado, and to the Umatilla Chemical Agent Disposal Facility, Oregon (EC-57/12, dated 10 July 2009) was the subject of continued debate prior to and throughout EC-58. This report was considered during EC-57 in July and deferred to this session due to the Iranian delegation's resistance to the procedural issue of noting the document. In the week prior to EC-58, a consultation was held with visit participants and interested delegations in an effort to resolve any outstanding substantive concerns about the document and the information received during the visit (ref E). The Iranian delegation made a strong statement articulating their views on the U.S. projections of destruction at two sites beyond 2012 (ref F). (DEL COMMENT: This statement outlines the concerns of Iranian delegation, which are likely to resurface as the U.S. destruction program continues to project dates extending beyond the treaty deadline. This

document was sent electronically to ISN-CB. The Del recommends thorough review and preparation of talking points to address the questions raised in the document. END COMMENT.)

¶20. (SBU) While Iran argued for the text of the report to be adjusted to include a statement pertaining to the Council's view on this "premature noncompliance" by the U.S., visit participants remained firm in insisting that the report was a factual report on their visit and would not be open to changes by Council members. The attention then turned to the EC report language. The South African delegation had proposed draft report language in July and re-circulated it for review in advance of this EC session.

¶21. (C) Throughout the week of the EC, Ambassador Lohman (Netherlands) convened a group of interested delegations -- the U.S., Russia, Iran and South Africa -- in an effort to reach agreement on report language and avoid protracted debate on the floor. Despite several lengthy meetings, no agreement was reached. The Iranian delegation was persistent in vying for strong report language blasting the U.S. for its projections, while simultaneously being resistant to noting the report itself. The Iranians blamed their inflexibility on the lack of participation of delegates from capital due to a visa-related issue. While the Iranian delegates waffled on noting the report, the Russian delegation stated that if the reports are not

noted, then future visits would be discontinued. On Friday, with no agreement on text, the debate hit the floor of the Council during the report-approval process. Despite efforts at compromise language from several delegations (Netherlands, Ireland and India), the Iranian delegation demonstrated an unfortunate lack of command of the English language and offered text which simply called for the U.S. to accelerate destruction efforts by April 28, 2009. Likely because the delegation had irritated the entire Council with their antics throughout the session, no State Party intervened to correct Iran's mistake and the Council accepted the language and closed the issue.

122. (SBU) On the agenda item regarding progress made in meeting revised deadlines for the destruction of chemical weapons, the Council considered a report by the DG as well as all of the 90-day reports (Libya, U.S., Russia, China and Japan). The Iranian delegation again intervened to object to the Council noting the TS report as well as the U.S. report, although the delegation was as the U.S. report, although the delegation was willing to note all the rest. The U.S. intervened with the position that these documents should be grouped and handled in the same manner, whether noted or under some other formulation. The TS offered language that the documents were "circulated" to the Council. However, Russia and some of the other possessor states voiced opposition to this concept, indicating that it is offensive to those delegations responsible for drafting these reports, but said, for the sake of consensus, they would not object. Russia referred to the Iranian objection and the U.S. grouping of all the reports as "vicious" tactics.

123. (SBU) To add further confusion to the matter, the TS had inserted previous chapeau language into the draft text of the decision before Iran requested it as they had in the past. The Iranian delegation took the position that they could accept the "circulation" of the reports and would give up the previously hard-fought chapeau language urging early commencement of new destruction facilities, much to the surprise of other Council members. Multiple delegations voiced concern with removal of the statement reaffirming the obligation of possessor States Parties to destroy their chemical weapons within the extended deadlines. Finally, the South African delegation intervened to state that this was not an acceptable solution.

124. (SBU) In order to resolve this impasse, the U.S. delegation considered the earlier option proposed by the TS upon the introduction of the DG note in the agenda review. When the Iranian delegation had first intervened on the DG note, with specific reference to paragraph 30 which included the U.S. destruction dates extending beyond 2012, Alexander Khodakov, Secretary to the Policy-Making Organs, offered that the document might be amended and reissued with those dates removed since the note is intended to report on past activities, progress achieved, rather than future-oriented projections. This same line of logic was applied to the U.S. 90-day report, and the South African delegation intervened to offer that the language in the U.S. 90-day report and the DG note should be amended and reissued with the term "to be determined" inserted where the troublesome dates were used. The U.S. Representative clarified the alternative language that would be issued and verified with the Iranian delegation specifically that this was agreeable. With no objections from the Council, this allowed the chapeau language to be retained, and the DG

note and the entirety of the collection of 90-day reports to be noted.

¶25. (SBU) Prior to the EC session, the Brazilian delegation proposed report language calling for the Council to instruct the EC Chairman to engage in informal consultations with interested delegations on how, and when, to initiate formal deliberations by the Council about the feasibility of the revised deadlines of 2012 being met by possessor States. Several small groups meetings were held on the margins of the EC to revise the language to ensure that the proposal was positively received and approved by the Council. Brazilian Ambassador Jose Medeiros chaired the meetings in which interested delegations included South Africa, India, China, Japan, Russia, Sweden, the U.S. and Peru. The Russian delegation took the position that the proposal itself was not appropriate for consideration at this time. Several delegations (Iran, India, South Africa and Sweden) called for the term "compliance" to be included in the text. However, to reach agreement among the group and later within the Council, the proposal emphasized the consultations to be a procedural step to start the process for further discussions. Benign text drafted by Delrep was distributed as the Russian compromise position and was accepted by both the smaller group of interested parties and the larger Council. (DEL NOTE: The Brazilian delegation privately described the motivation for this proposal as an effort to take this very political and complicated discussion off the table of the EC, clearing the path for the Chairman to address the required agenda items and effectively lead this and future meetings. Additionally, the EC Chairman told Delrep that he felt that the substance of this proposal was largely the role of his successor. END NOTE.)

¶26. (C) The South African delegation also proposed a new initiative under the agenda Subitem 5(b), which was amended to add the term "and other destruction related issues" to accommodate their proposal. Prior to the EC, the South African delegation engaged the U.S. and UK delegations on their initiative to establish an open-ended working group aimed at developing guidelines pertaining to security and destruction of chemical weapons in situations not foreseen by the Chemical Weapons Convention. Despite both the U.S. and the UK delegations expressing opposition to the proposed open-ended working group, the South African delegation circulated draft report language in advance of the EC and firmly indicated that they would be pursuing this initiative, going as far to threaten that, should the U.S. not agree to this approach, a discussion on noncompliance related to U.S. and UK activity related to RCW in Iraq would be the alternative.

¶27. (SBU) In trilateral discussions between the U.S., the UK and South Africa, the issue of who might serve as the facilitator for this proposed working group. The South African delegation said that they were prepared to serve in this role themselves, specifically Delegate Marthinus van Schalkwyk. Both the U.S. and the UK delegations objected. As a result of considerable discussion, a compromise position was reached, whereby the format of these discussions would be deemed consultations rather than an open-ended working group, and the facilitator would be Irish Delegate Michael Hurley. To further restrict the scope of this initiative, the UK provided draft guidelines to the U.S. and South Africa for review and

indicated that these should be introduced by the facilitator. (DEL NOTE: An electronic copy of the draft guidelines/decision text was sent to ISN-CB for further review and comment. END NOTE.)

¶28. (SBU) While the Council approved the South African proposal, and Irish Delegate Michael Hurley agreed to serve as facilitator, several delegations queried the goal of these consultations. During a final intervention at the EC, the Russian Delegate read a prepared statement that these consultations should in no way seek to change the legal text of the treaty, nor to amend the convention, and ought to be limited in scope to conflict situations rather than extending to include situations related interdictions at sea. The EC Chairman requested that Russia circulate a national paper on their position.

DIRECTOR-GENERAL'S STATEMENT AND GENERAL DEBATE

¶29. (U) The 58th session of the Executive Council opened on October 13 with an update from the four Vice-Chairmen on activities that took place during the intersessional period. On chemical weapons issues, Ambassador Lohman (Netherlands) informed the Council that he had chaired a consultation on the report on the EC visit to two U.S. destruction facilities. One round of consultations on Article X assistance and protection had also been held since the last EC. Regarding chemical industry issues, Ambassador Idris (Sudan) noted progress during consultations on low concentrations for Schedule 2A and 2A* chemicals and enhancement of OCPF declarations. The Vice-Chairman for administrative and financial issues, Delegate Vejdani (Iran) reported on eight rounds of budget consultations, and stated that the Report of the Advisory Body on Administrative and Financial Matters (ABAF) and the Report on Implementation of the External Auditor's Recommendations were both ready for Council consideration. On legal and organizational issues, Ambassador Gevorgian (Russia) noted consultations and progress on universality, Article XI international cooperation and Article VII national implementation. Chairman Lomonaco (Mexico) reported on his consultations and straw polls for the DG selection, the Host Country Committee and the informal meeting on destruction the day before.

¶30. (U) Director-General Pfirter opened his statement, long even by his standards, with pointed congratulations for President Barak Obama on winning the Noble Peace Prize, noting that Obama gave a new impetus to multilateralism and contributed to improving the diplomatic atmosphere in the fields of disarmament and nonproliferation. Pfirter then turned to destruction issues, highlighting that the milestone of 50% destruction highlighting that the milestone of 50% destruction of all declared chemical weapons (CW) had been passed. On Libya, he cited the extension request and the need for prompt action to destroy Libya's CW stockpile within the deadline.

¶31. (U) On Iraq, notwithstanding Iraq's commitment to the Convention, he stated that the security situation had forced the postponement of the initial visit by the Technical Secretariat (TS) to verify Iraq's declarations and that the visit had not yet been rescheduled. The DG noted the visit by the TS teams, at the invitation of the United States and the United Kingdom, to review records on the disposal of chemical weapons recovered in Iraq

between 2003 and 2008. In the TS view, the documents appeared consistent with information provided by the U.S. and the United Kingdom, and full transparency was provided in support of the review.

¶32. (U) The DG turned to Russia's enhanced efforts on destruction, highlighting construction and commencement of chemical weapons destruction operations at new units in their operating facilities. He described the U.S. destruction effort as proceeding steadily and noted completion of operations at Dugway Proving Ground.

¶33. (U) The DG stated that this year's Article VI inspections were on track. However, he emphasized the importance of focusing on appropriate inspections for the large numbers of Other Chemical Production Facilities (OCPF) worldwide, and the ease and speed with which a number of such facilities could be reconfigured for production of chemicals other than those they are meant for. He announced a workshop planned in November before the National Authorities meeting to discuss OCPF issues.

¶34. (U) Pffirter summarized TS assistance activities, highlighting ASSISTEX III to be held in Tunis in October 2010, as well as noting various training courses related to Article X held in the intersessional period. As for cooperation sponsored by the States Parties, he summarized recent developments in the 2009 Associate Program, and contributions from several governments.

¶35. (U) The DG noted continued progress of States Parties designating National Authorities, which have reached 97% of Convention membership. He also highlighted UN Security Council Resolution 1887 which links progress in disarmament and non-proliferation as an element of international security. He also addressed TS participation in a meeting established under UNSCR 1540. On the budget, he noted positive feedback received during facilitations on progress made towards a "results-based" approach. In turning to the Scientific Advisory Board (SAB), he welcomed the six new members, including Bill Kane (U.S.) who will join the Board in January. He indicated that the SAB will address applications of nanotechnology to improve protective measures against chemical weapons.

¶36. (U) The General Debate that followed featured several recurring and predictable themes. Many statements expressed optimism for a successful outcome for the Executive Council's efforts to nominate a consensus Director-General candidate to the Conference. Regarding destruction matters, the

African Group, the Non-Aligned Movement (NAM) and China, Pakistan and Brazil included varying expressions of concern that a major possessor state does not expect to meet the 2012 deadline. Iran stated that CW destruction is the most important issue on the agenda, that the final extended deadline of 2012 must be met, and that the integrity of the CWC will be tested if one state Party cannot meet that deadline. China additionally urged all possessor States to show a sense of urgency and overcome difficulties to ensure the timely completion of destruction.

¶37. (U) Brazil proposed that the Council appoint the Chairman to conduct informal consultations with Council members on how and when to initiate formal deliberations on the feasibility of the 2012

deadline. Both the NAM and African Group statements supported South Africa's proposal regarding the security and destruction of chemical weapons in situations not foreseen by the Convention.

¶38. (U) The statement by Russia highlighted its own destruction accomplishments but expressed concern regarding the lack of progress in verifying Iraq's initial declaration. The European Union (EU) and Russia called on Iraq to prepare a detailed plan for destruction and submit it to the Executive Council. The EU also requested more information about Libya's plans and projections regarding its request for an extension to its deadline for destruction of Category 1 weapons. Libya emphasized that it was committed to elimination of all WMD, and provided an update on its efforts to construct a CW destruction facility at Rabta. Predictably, China dedicated a portion of its statement to the issue of Japanese abandoned chemical weapons, noting grave concern that destruction has not yet begun. Japan stated that they were working to use ultrasound technology to gain a better understanding of old and abandoned CW in China. Iraq thanked the U.S., the UK and Germany for their assistance in helping Iraq to implement the CWC.

¶39. (U) Regarding the Article VII action plan and related national implementation efforts, Russia placed great importance on successful implementation, linking this issue to export controls. The statement called for a search for new incentives to promote real progress in meeting Article VII. The EU noted with concern the slow progress in recent years and encouraged the TS to consider alternative approaches, such as targeted training for relevant government officials at the training for relevant government officials at the OPCW.

¶40. (U) The NAM, the African Group and Saudi Arabia invoked Article XI and called for resumption of consultations on full implementation of Article XI. The African Group noted the implementation of the Program for Africa and thanked States Parties supporting the program through voluntary

contributions. The European Union touted its own financial contribution to the Program under the EU's Strategy against Proliferation of WMD.

¶41. (U) Russia, the NAM, the African Group and Saudi Arabia supported the Secretariat's work in Article X activities, with some specifically citing the ASSISTEX 3 exercise to be held in October 2010. The NAM and African Group statements highlighted Article X in the context of the CWC's contribution to global antiterrorism efforts, and, along with the EU, supported the efforts of the Open-Ended Working Group on Terrorism. Nigeria stated that the role of the OPCW in preventing terrorism cannot be over-estimated.

¶42. (U) Several statements included similar themes regarding the allocation of Article VI inspection resources. The NAM stated that the proposed increase and distribution of industry inspections are unconvincing and have no reasonable basis, while China repeated the theme of "hierarchy of risk" pertaining to the four types of facilities under Article VI.

¶43. (U) Russia and the EU supported the principle of zero-nominal growth budgets and maintaining the present level of annual State Party contributions to the OPCW.

UNIVERSALITY AND ARTICLES VII, X AND XI

¶44. (U) The facilitators for Universality and Articles VII, X and XI all briefed the Council on the progress of their respective consultations. The four issues attracted little substantive debate with facilitators working on the margins to negotiate draft text for the session's final report. Delreps worked with WEOG delegations to insure balance between report language on Articles VII and XI. The Council extended the mandates of all four facilitators to allow them to continue consultations through to the CSP and authorize them to submit draft decisions or other products for the CSP's consideration.

¶45. (SBU) During the adoption of report language, Iran insisted from the floor that the TS include more information in future Article VII annual implementation reports on legislation related to free trade (Article XI Paragraph 2(e)). The UK and other delegations objected in principle as Iran previously had not raised the issue formally in the Council. Legal Advisor Onate also staunchly defended his office's annual report, stating that it already includes complete information on Article XI Paragraph 2(e). Despite Iranian protestations, XI Paragraph 2(e). Despite Iranian protestations, Chairman Lomonaco ruled that Iran's text could not be inserted due to the lack of support, and the fact that it would not be factually correct to include it in the session's report.

¶46. (C) DEL COMMENT: As the Council completed all of its mandatory work needing to be forwarded to the CSP for action, these four issues likely are to be the primary focus of work in the run up to the CSP and will dominate the substantive agenda of the CSP. Given Iran's inability to insert report language under Article VII on its pet issue of free trade in chemicals (Article XI), the Iranian delegation likely will press hard to include similar references in any Article VII draft decision at the CSP. END COMMENT.

ITEMS APPROVED/ADOPTED

¶47. (U) The following agenda items were approved or adopted:

EC-58/S/2 - Corrections to the general and detailed plans for conversion of the Libyan CWPFS "Rabta 1" and "Rabta 2"

EC-58/NAT.5 and EC-58/DEC/CRP.2 - Libyan request for extension of the intermediate and final destruction deadlines for its Category 1 chemical weapons

EC-57/CRP.2 and EC-58/DEC/CRP.5 - 2010 Budget

EC-58/DEC/CRP.6 - Guidelines regarding low-concentration limits for declarations of Schedule 2A and 2A* chemicals

EC-58/DEC/CRP.3/Rev.1 - Adoption of IPSAS as the OPCW's accounting standard

EC-58/S/3 - appointments of Sakiko Hayakawa (Japan) and Yungjoon Jo (South Korea) to the Advisory Body on Administrative and Financial Matters (ABAF)

EC-58/CRP.1 - EC report on its activities from 28

June 2008 to 17 July 2009

ITEMS DEFERRED

¶48. (U) The following documents were deferred:

EC-56/S/3*, EC-57/DEC/CRP.1 - Proposed guidelines on the nature of continued verification measures at converted production facilities ten years after their certification of conversion

EC-53/S/5 - Secretariat note on enhancing information on the characteristics of plant sites in other chemical production facility declarations

EC-53/DG.11 - DG note concerning information on the enhancement of OCPF declarations

EC-57/DG.5 - DG note entitled "Technical Arrangement between the Technical Secretariat and

Designated Laboratories concerning the Procedures for Off-site Analysis of Samples and for Adherence to the Requirements of the OPCW Confidentiality Regime"

EC-57/S/1 - Secretariat note on continued inclusion in the OPCW Central Analytical Database (OCAD) of analytical data for derivatives of scheduled chemicals

EC-58/DG.4, EC-58/DEC.CRP.1 - DG note on the lists of validated data for Council approval for inclusion in the OCAD and the draft decision

EC-57/DG.4 - DG report on the implementation of the tenure policy in 2008

ITEMS NOTED

¶49. (U) The Council noted the following documents:

EC-58/DG.13 - DG's opening statement

EC-58/R/S/1 - Secretariat note on the update on process in converting a former CWPf

EC-58/NAT.6 - notification of changes to the general and detailed plans for the conversion of former CWPfs "Rabta 1" and "Rabta 2"

EC-58/DG11* - DG note on the progress of States Parties granted extensions of destruction deadlines

EC-58/NAT.4 - Libyan national paper on the status of destruction activities

EC-58/NAT.3* - U.S. national paper on the status of destruction activities

EC-57/12 - report of the EC visit by the Chairperson and representatives to Pueblo and Umatilla

EC-58/P/NAT.1 - Russian national paper on the status of destruction activities

EC-58/NAT.1 - Chinese national paper on the status of Japanese abandoned CW (ACW) in China

EC-58/NAT.2 - Japanese national paper on the status of its ACW projects in China

EC-58/HP/DG.1 - supplement to the 2008 Verification

Implementation Report (VIR)

EC-57/HP/DG.2/Add.1 - comments and views received on the 2008 VIR

EC-57/HP/DG.1/Corr.2 - corrigendum to the 2008 VIR

EC-58/DG.5 - DG note on the status of Article VII implementation

EC-57/S/3 - Secretariat note on the content and use of the Article X assistance-and-protection databank

EC-58/DG.9 C-14/DG.8 - DG note and annual report on the implementation of the action plan for the universality of the CWC

EC-55/DG.8 - DG report on the performance of the modified methodology for the selection of OCPFs for inspection

S/773/2009 - Secretariat note on electronic submission of annual declarations on past activities as at 31 May 2009

EC-58/DG.8 - DG note on the Secretariat's readiness to conduct a challenge inspection

EC-58/DG.12 - DG note on OPCW income and expenditure for the financial year to 30 September 2009

EC-58/DG.3 - DG note on the adoption of IPSAS (International Public Sector Accounting Standards)

EC-58/S/1 - Secretariat note on the status of implementation of the recommendations of the External Auditor

ABAF-27/1, Corr.1, - report of the Twenty-Seventh ABAF session

EC-58/DG.10 - DG note containing comments on the ABAF report. The Council noted the resignation of Su-Jin Cho (South Korea) and Takayuki Kitagawa (Japan) from the ABAF.

EC-58/HCC/1, C-14/HCC/1 - report by the Committee on Relations with the Host Country on the performance of its activities December 2008 - September 2009

EC-58/3 - withdrawal of Finland's and Switzerland's DG candidates

EC-58/4 - withdrawal of Indonesia's DG candidate

EC-58/5 - withdrawal of the United Kingdom's DG candidate

EC-58/6 - withdrawal of Algeria's DG candidate

EC-58/7 - withdrawal of Germany's DG candidate

150. (U) BEIK SENDS.

LEVIN